

<p>Elissa D. Miller, Trustee 333 S. Grand Avenue, Suite 3400 Los Angeles, CA 90071 (213) 626-2311 (213) 629-4520 Fax <i>millertrustee@sulmeyerlaw.com</i></p> <p><input checked="" type="checkbox"/> <i>Movant(s) appearing without an attorney</i> <input type="checkbox"/> <i>Attorney for Movant(s)</i></p>	<p>FOR COURT USE ONLY</p>
<p>UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA - LOS ANGELES DIVISION</p>	
<p>In re:</p> <p>SIMPLY HYBRID, LLC dba Simply Rent A Car</p>	<p>CASE NO.: 2:21-bk-11697 BR</p> <p>CHAPTER 7</p>
	<p>DECLARATION THAT NO PARTY REQUESTED A HEARING ON MOTION</p> <p>LBR 9013-1(o)(3)</p>
<p>Debtor(s).</p>	<p>[No Hearing Required]</p>

1. I am the ☒ Movant(s) or ☐ attorney for Movant(s) or ☐ employed by attorney for Movant(s).
2. On May 26, 2022: Movant(s) filed a motion or application (Motion) entitled: Notice of Motion and Motion under LBR 2016-2 for Approval of Cash Disbursements by the Trustee; Opportunity to Request Hearing; and Declaration of Trustee.
3. A copy of the Motion and notice of motion is attached to this declaration.
4. On May 26, 2022: Movant(s), served a copy of ☐ the notice of motion or ☒ the Motion and notice of motion on required parties using the method(s) identified on the Proof of Service of the notice of motion.
5. Pursuant to LBR 9013-1(o), the notice of motion provided that the deadline to file and serve a written response and request for a hearing is 14 days after the date of service of the notice of motion, plus an additional 3 days if served by mail, electronically, or pursuant to F.R.Civ.P. 5(b)(2)(D), or (F).
6. More than 17 days have passed since Movant(s) served the notice of motion.
7. I have checked the docket for this bankruptcy case and/or adversary proceeding, and no response and request for hearing was timely filed.
8. No response and request for hearing was timely served on Movant(s) via Notice of Electronic Filing, or at the street address, email address, or facsimile number specified in the notice of motion.

9. Based upon the foregoing, pursuant to LBR 9013-1(o), a hearing is not required.

Movant(s) requests that the court grant the motion and enter an order without a hearing.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Date: June 13, 2022

/s/ Elissa Miller

Elissa D. Miller, Trustee

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:
333 S. Grand Avenue, Suite 3400, Los Angeles, CA 90071

A true and correct copy of the foregoing document entitled: **DECLARATION THAT NO PARTY REQUESTED A HEARING ON MOTION [LBR 9013-1(o)(3)]** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On June 13, 2022, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

Stephen L Burton steveburtonlaw@aol.com, ellie.burtonlaw@gmail.com
Benjamin Davidson bdauidson@bendavidsonlaw.com
Joseph C Delmotte ecfcacb@aldridgepate.com, JCD@ecf.inforuptcy.com;jdelmotte@aldridgepate.com
Krikor J Meshefejian kjm@lnbyg.com
Elissa Miller (TR) CA71@ecfcbis.com, MillerTrustee@Sulmeyerlaw.com;C124@ecfcbis.com;ccaldwell@sulmeyerlaw.com
United States Trustee (LA) ustpregion16.la.ecf@usdoj.gov
Edward M Wolkowitz emw@lnbyg.com

☐ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL: On June 13, 2022, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

The Honorable Barry Russell
United States Bankruptcy Court
Roybal Federal Building
255 East. Temple Street, Suite 1660
Los Angeles, CA 90012-3332

☐ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on _____, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

June 13, 2022
Date

Lupe Cortez
Type Name

/s/ Lupe Cortez
Signature

Attorney or Party Name, Address, Telephone & FAX Nos., State Bar No. & Email Address Elissa D. Miller <i>emiller@sulmeyerlaw.com</i> 333 South Grand Avenue, Suite 3400 Los Angeles, CA 90071 Phone: 213-626-2311 Fax: 213-629-4520 <input type="checkbox"/> Attorney for Debtor(s) <input type="checkbox"/> Debtor(s) appearing without an attorney	FOR COURT USE ONLY
UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA – LOS ANGELES DIVISION	
SIMPLY HYBRID, LLC dba Simply Rent A Car	CASE NO.: 2:21-bk-11697 BR CHAPTER: 7 NOTICE OF MOTION AND MOTION UNDER LBR 2016-2 FOR APPROVAL OF CASH DISBURSEMENTS BY THE TRUSTEE; OPPORTUNITY TO REQUEST HEARING; AND DECLARATION OF TRUSTEE [No hearing unless requested under LBR 9013-1(o)]

TO PARTIES IN INTEREST:

PLEASE TAKE NOTICE that the duly-appointed chapter 7 trustee has filed the following motion for court approval of the trustee's request to make cash disbursements. The court may grant the motion authorizing expenditure of estate funds without a hearing unless you file with the court and serve upon the trustee and the United States trustee a written objection to the motion explaining all of the reasons for the opposition WITHIN 14 DAYS AFTER THE DATE OF SERVICE OF THIS NOTICE OF MOTION AND MOTION, plus 3 additional days if you were served by mail, electronically, or pursuant to F.R.Civ.P. 5(b)(2)(D) or (F). If an objection is timely filed, the trustee will set the matter for hearing and notify you of the date and time of the hearing. Failure to object may be deemed consent to interim authorization of the expenses requested by the trustee.

The trustee moves for an order authorizing cash disbursements from property of the estate as follows:

1. A brief summary of the case is attached as Exhibit A.
2. The estimated date for submitting a final report is June 30, 2023.
3. Cash disbursements period: June 1, 2022 to October 31, 2022.
4. A detailed analysis and justification of the trustee's expenses is included in Exhibit B.

5. Final approval of all expenditures will be sought when the trustee files a Final Account and Report (including those paid in accordance with LBR 2016-2).

Dated: May 26, 2022

/s/ Elissa D. Miller
Chapter 7 Trustee

DECLARATION OF TRUSTEE

I, Elissa D. Miller, the duly appointed chapter 7 trustee, have prepared the foregoing motion to make cash disbursements and believe the amounts specified in each category are reasonable and necessary for an effective and efficient administration of the estate. If this motion proves to be inaccurate or infeasible, I will submit corrected motions as necessary.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Date: May 26, 2022

/s/ Elissa D. Miller

Chapter 7 Trustee

EXHIBIT "A"

SUMMARY/STATUS OF CASE:

This cash disbursement motion is filed pursuant to LBR 2016-2 of the United States Bankruptcy Court, Central District of California.

At this time, the trustee continued to pursue estate claims against the Debtor's insiders and affiliates and attempt to recover any estate assets. The parties have agreed to participate in formal mediation with the Honorable Randall Newsome, United States Bankruptcy Judge Retired.

The purpose of this cash disbursement motion is to request authority to pay for mediation services. The trustee will pay the estates portion of the costs of the mediator. The total costs for mediation to the estate is not expected to exceed \$5,000.00.

EXHIBIT "B"

Estimated Recurring Monthly Expenses During the Cash Disbursement Period

\$ _____ Estimated monthly utilities and miscellaneous upkeep costs

Total: \$ _____ Estimated Recurring Monthly Expenditures During Cash Disbursement Period

Total Estimated Other Expenses During the Cash Disbursement Period for which Court Approval is Sought at this Time:

\$ 5,000.00 Mediation costs

Total: \$ 5,000.00 Estimated Other Expenses During the Cash Disbursement Period

The foregoing expenditures are justified by the following facts:

The parties have agreed to mediation. Trustee seeks to pay the estate share of the costs of mediation .

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is 333 South Grand Avenue, Suite 3400, Los Angeles, CA 90071-1406.

A true and correct copy of the foregoing document entitled (*specify*): **NOTICE OF MOTION AND MOTION UNDER LBR 2016-2 FOR APPROVAL OF CASH DISBURSEMENTS BY THE TRUSTEE; OPPORTUNITY TO REQUEST HEARING; AND DECLARATION OF TRUSTEE** will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (*date*) May 26, 2022 I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

Stephen L Burton steveburtonlaw@aol.com, ellie.burtonlaw@gmail.com
Benjamin Davidson b davidson@bendavidsonlaw.com
Joseph C Delmotte ecfcacb@aldridgepите.com, JCD@ecf.inforuptcy.com;jdelmotte@aldridgepите.com
Krikor J Meshefejian kjm@lnbyg.com
Elissa Miller (TR) CA71@ecfcbis.com, MillerTrustee@Sulmeyerlaw.com;C124@ecfcbis.com;ccaldwell@sulmeyerlaw.com
United States Trustee (LA) ustpregion16.la.ecf@usdoj.gov
Edward M Wolkowitz emw@lnbyg.com

☐ Service information continued on attached page.

2. SERVED BY UNITED STATES MAIL:

On (*date*) May 26, 2022, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☒ Service information continued on attached page.

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (*state method for each person or entity served*): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (*date*) _____,

I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

May 26, 2022

Date

Lupe V. Cortez

Printed Name

/s/ Lupe Cortez

Signature

Ali Saman
1824 Fairford Drive
Fullerton, CA 92833-1511

FRANCHISE TAX BOARD
BANKRUPTCY SECTION MS A340
PO BOX 2952
SACRAMENTO CA 95812-2952

William Becker
Attorney at Law
2711 North Sepulveda Blvd Suite 236
Manhattan Beach, CA 90266-2725

Benjamin Davidson
Law Offices of Benjamin Davidson, P.C.
8383 Wilshire Blvd.Suite 830
Beverly Hills, CA 90211-2445

JPMORGAN CHASE BANK N A
BANKRUPTCY MAIL INTAKE TEAM
700 KANSAS LANE FLOOR 01
MONROE LA 71203-4774

Ottmar Benavides c/o
Law Offices of Benjamin Davidson,
8383 Wilshire Blvd, Suite 830
Beverly Hills, CA 90211-2445

Stephen L Burton
Stephen L. Burton, Attorney at Law
16133 Ventura Blvd 7th Floor
Encino, CA 91436-2403